

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

JANE DOE,

Plaintiff,

v.

WEST INDEPENDENT SCHOOL DIS-  
TRICT,

Defendant.

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CIVIL NO. 6:23-CV-00186-ADA-JCM

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 17. The Report recommends that this Court grant-in-part and deny-in-part Defendant's Amended Motion to Dismiss Plaintiff's First Amended Complaint, ECF No. 11. Specifically, the Report recommends that this Court grant dismissal to Defendant on Plaintiff's Section 1983 school activity policy claim but deny dismissal to Defendant on Plaintiff's failure to train and Title IX claims. The Report and Recommendation was filed on September 11, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).

Defendant filed objections on September 22, 2023. ECF No. 19. As of the date of this order (which is more than fourteen days from the date the Report and Recommendation was filed),

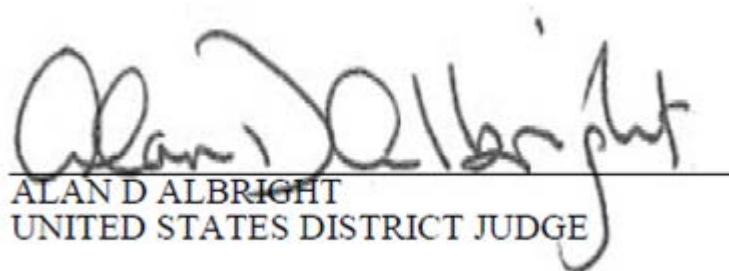
Plaintiff has not filed objections. The Court has conducted a *de novo* review of the motion to dismiss, the response, the reply, the report and recommendation, the objection to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 17, is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant's objections are **OVERRULED**.

**IT IS FINALLY ORDERED** that Defendant's Amended Motion to Dismiss, ECF No. 11, is **GRANTED IN PART AND DENIED IN PART** in accordance with the Report and Recommendation.

**SIGNED** this 26th day of September, 2023.



ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE